



**CITY OF MORGAN HILL
COUNCIL CHAMBERS**

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Hedy L. Chang, Mayor Pro Tempore
Cynthia J. Cook, Council Member
Steve Tate, Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Cynthia J. Cook, Vice-Chairperson
Hedy L. Chang, Agency Member
Steve Tate, Agency Member
Greg Sellers, Agency Member

WEDNESDAY JULY 21, 1999

AGENDA

CITY COUNCIL

REDEVELOPMENT AGENCY

REGULAR & SPECIAL MEETING

A Special Meeting is called for Wednesday, July 7, 1999 at 6:30 P.M. for the purpose of a Closed Session.

~~Dennis Kennedy, Mayor~~ _____

CALL TO ORDER

(Mayor Kennedy)

ROLL CALL ATTENDANCE

(City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY TRANSACTION

Legal Authority: Government Code Section 54956.8

Real property(ies) involved: Apostolic Church Property
APN 726-13-002
17060 Monterey Road, Morgan Hill

Vacant Property (former gas station property)
APN 726-13-003
17090 Monterey Road, Morgan Hill

Agency Negotiators: David Jinkens, Executive Director
Garrett Toy, Director of Business Assistance & Housing Services

Closed Session Topic: Acquisition of Real Property

CLOSED SESSION ANNOUNCEMENT

ADJOURN

7:00 PM

CALL TO ORDER
(Mayor Kennedy)

ROLL CALL ATTENDANCE
(City Clerk Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC SERVICE ANNOUNCEMENT
Eric Hilding

INTRODUCTIONS
Justin Martin
Police Officer

D'Arcy Peret
Police Support Services Specialist Trainee

Thomas Silipin
Engineering Aide I

Evelyn Razo
Accounting Assistant I

Judy Viegas
Accounting Assistant II
CITY COUNCIL REPORT

CITY MANAGER'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #11 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

1. **PRELIMINARY JUNE FINANCE & INVESTMENT REPORT** 1
Recommended Action: Accept and File Report
2. **APPROVAL OF IMPROVEMENT AGREEMENT WITH
MONTEREY/TENNANT ASSOCIATES, LLC. - MONTEREY
STREET & TENNANT AVENUE (APN 817-04-035, 36, 37, & 38)** 29
Recommended Action: Approve the attached Improvement Agreement
and authorize the City Manager to sign the agreement on behalf of the
City with Monterey/Tennant Associates, LLC, at Monterey Street &
Tennant Avenue (APN 817-04-035, 36, 37 & 38).
3. **ACCEPTANCE OF THE STREET REPAIRS - 1998 PROJECT** 39
Recommended Action:
1) Accept as complete the Street Repairs - 1998 Project in the final
amount of \$108,235.48.
2) Direct the City Clerk to file the attached Notice of Completion with
the County Recorder's office.
4. **ACCEPTANCE OF CONTRACT LIFT STATION D** 43
Recommended Action:
1) Accept as complete the Sewer Lift Station "D" Repair Project in the
final amount of \$100,857.00.
2) Direct the City Clerk to file the attached Notice of Completion with
the County Recorder's office.
5. **ACCEPTANCE OF THE CONSTRUCTION OF BUTTERFIELD
BOULEVARD - DUNNE TO SAN PEDRO PROJECT** 47
Recommended Action:
1) Accept as complete the construction of Butterfield Boulevard - Dunne
to San Pedro Project in the final amount of \$1,381,352; and
2) Approve five Change Orders in the total amount of \$7,500 to MH

Engineering for providing Engineering and Surveying services to the City of Morgan Hill; and

3) **Direct** the City Clerk to file the attached Notice of Completion with the County Recorder's office.

6. **1999 - 2000 HOUSEHOLD HAZARDOUS WASTE RECYCLING AND COLLECTION PROGRAM** 51
Recommended Action: **Authorize** the City Manager to execute the "Second Amendment to Agency Agreement for Countywide Household Hazardous Waste Collection Program" in the amount of \$35,000.

7. **FISCAL YEAR CONSULTANT AGREEMENT WITH CARL MILEFF & ASSOCIATES AND CERTIFIED CODE CONSULTANTS FOR PLAN CHECKING SERVICES** 77
Recommended Action:
1) **Approve** a new fiscal year contract with Carl Mileff & Associates for the amount of \$45,000; and

2) **Approve** a new fiscal year contract with Certified Code Consultants for the amount of \$45,000; and

3) **Authorize** the City Manager to execute the contracts.

8. **GENERAL PLAN TASK FORCE MEMBERSHIP** 87
Recommended Action:
1) **Amend** the General Plan Update Task Force Mission Statement to increase the total number of members to 20 and the number of Planning Commissioners to three; and

2) **Determine** which three Planning Commissioners shall continue to serve on the General Plan Task Force; and

3) **Redesignate** the three alternate members of the Task Force as full members.

9. **ADOPTION OF ORDINANCE NOS. 1437 & 1440, NEW SERIES** 93
Ordinance No. 1437 of the City Council of the City of Morgan Hill approving an amendment to Ordinance No. 1161, which rezoned a 2.5-acre site located at 16655 Nina Lane, south of San Pedro Avenue, R-1 (12,000)/RPD, Residential Planned Development zoning district. The amendment includes the adoption of a precise development plan for five Measure P single-family units and one existing custom home (APN 817-60-021).

Ordinance No. 1440 of the City Council of the City of Morgan Hill approving a Development Agreement with Dao Doan for a 5-unit Measure P Single Family Residential Development, plus one existing custom home, awarded an allocation through the Residential Development Control System for Fiscal Year 1998-1999, and Fiscal Year 1999-2000.

10. **ADOPTION OF ORDINANCE NO. 1441, NEW SERIES** 125
An Ordinance of the City Council of the City of Morgan Hill approving

a zoning amendment from CG, General Commercial to Medium Density Residential District for the .71 acre property located on the south side of Ciolino Avenue (APN's 767-09-024 & 025). members.

11.	<u>APPROVAL OF SPECIAL & REGULAR MEETING MINUTES OF JULY 7, 1999</u>	131
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PUBLIC HEARINGS:

12.	<u>ZA-98-16: CONDOT - HORIZON LAND</u> 147 <u>Recommended Action:</u> <u>Motion to continue</u> the Public Hearing to the August 18, 1999 meeting.
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OTHER BUSINESS:

13.	<u>PROGRESS REPORT ON SOLID WASTE DIVERSION</u> 149 <u>Recommended Action:</u> Information Only
14.	<u>RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (MEASURE P) SECOND YEAR PHASING REQUEST FOR APPLICATION MP-98-35: FIRST COMMUNITY HOUSING</u> 151 <u>Recommended Action:</u> 1) <u>Discuss</u> the proposal and provide policy direction regarding the potential over concentration of lower income affordable housing in the East Dunne/Butterfield Boulevard area; and 2) Should the City Council wish to <u>approve</u> the applicant's second year phasing request, then <u>adoption</u> of Resolution 5298 awarding Fiscal Year 2001 - 2002 Affordable Building Allotment to Application MP-99-35: E. Dunne - First Community Housing is recommended.
15.	<u>DISCUSSION OF POSSIBLE ACTION OF PREFERRED PROCEDURE FOR CITY RESPONSE TO LEGISLATION</u> 165 <u>Recommended Action:</u> <u>Direction</u> to staff.

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT